

Remarks

The paragraphs of the Office action are responded to through the corresponding numbered paragraphs below. The applicant has addressed each issue in turn and, for clarity, has provided a heading for each issue.

Claim Rejections – 35 USC § 102

The Examiner provided the citation to "35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action." The applicant believes that no specific response is required for this paragraph.

1. The Examiner rejected claims 1–4 "under 35 U.S.C. 102(e) as being anticipated by Smith et al. (US: 6463462)". The applicant has requested that claim 1, on which claims 2–4 depend, be amended to more clearly point out that applicant's invention uses a voice recognition process to recognize oral instructions, regarding the intended recipient(s) of the message, received from the user. The applicant believes that Smith fails to describe or suggest the use of voice recognition processing. Therefore, the applicant believes that the cited reference neither describes nor suggests the combination of elements recited in the amended claim 1. Since, claims 2–4 depend on claim 1, they incorporate all of the limitations of claim 1. Accordingly, the applicant believes that this requested amendment and these comments are fully responsive to this paragraph of the Office action. The applicant respectfully requests reconsideration and withdrawal of this rejection.

Conclusion

2. The Examiner indicated that certain "prior art made of record and not relied upon is considered pertinent to the applicant's disclosure." The applicant appreciates the Examiner's search and respectfully requests inclusion of these references among the cited references of this application.

3. The Examiner has provided information concerning communication and/or inquiries concerning this case. Applicant appreciates the Examiner's willingness to communicate and assist on this case and believes no response to this paragraph is necessary. The Examiner indicated that responses to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231.

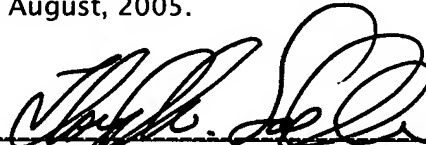
The applicant believes that this is no longer the current address, but rather that the correct current address is:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Accordingly, the applicant is submitting this response by Express Mail to the above address.

The applicant has requested that claim 1 be amended as previously described. Since claims 2-4 depend on claim 1, the applicant believes that all issues and points of the Office action have been fully addressed and that the newly amended claim and all claims dependent upon this claim are patentable over all known prior art. Accordingly, reconsideration and allowance of this application are respectfully requested.

Respectfully submitted this 9th day of August, 2005.



Lloyd W. Sadler, Reg. No. 40,154
SNELL & WILMER, LLP
15 West South Temple, Suite 1200
Salt Lake City, Utah 84101
Telephone: (801) 257-1960
Facsimile: (801) 257-1800